



IAP7 Rec'd PCT/PTO 05 JUN 2006

PCT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

GATTI et al.

Atty. Ref.: 3687-116; Confirmation No. 3343

Appl. No. 10/537,049

TC/A.U. 1722

Filed: June 2, 2005

Examiner: To be assigned

For: METHOD AND DEVICE FOR TRANSFERRING THERMOFORMED ARTICLES

\* \* \* \* \*

June 5, 2006

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESUBMISSION OF EXECUTED DECLARATION/STATUS INQUIRY**

The last written communication from the Office, a Notification of Missing Requirements, was dated October 28, 2005 and a response to that communication was submitted on November 29, 2005. No further communications have been received, hence the status of this application is unclear to the undersigned. To summarize these events:

The executed Declaration was submitted in this case on November 29, 2005 via facsimile (703-746-6706) addressed to Ms. India Evans at the PTO. As evidence of this submission enclosed are copies of the papers (fax cover sheet, "Transmit Confirmation Report" of the fax, PCT transmittal sheet, declaration, and Notification of Missing Requirements) as faxed to Ms. Evans. The facsimile confirmation sheet shows transmission of the documents (listed on the fax cover sheet) and is thus should be considered as an equivalent of a post card receipt..

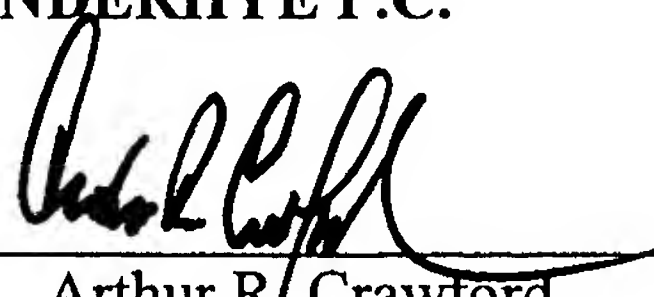
GATTI et al.  
Appl. No. 10/537,049  
June 5, 2006

As of this date, no acceptance has been received. Please advise me of the status of this application including the Notice of Acceptance/Response to same and forward the Official Filing Receipt for this case.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: \_\_\_\_\_

  
Arthur R. Crawford  
Reg. No. 25,327

ARC:eaw  
901 North Glebe Road, 11th Floor  
Arlington, VA 22203-1808  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100

## \*\* Transmit Conf. Report \*\*

P.1

Nov 29 2005 15:02

Fax/Phone Number	Mode	Start	Time	Page	Result	Note
7037466706	NORMAL	29, 15:02	2'02"	7	# O K	

**COPY**

**Nixon & Vanderhye PC**  
ATTORNEYS AT LAW

11TH FLOOR  
901 NORTH OLEBB ROAD  
ARLINGTON, VIRGINIA 22203 1808

TELEPHONE: (703) 816-4000  
FACSIMILE: (703) 816-4100  
WRITER'S DIRECT DIAL NUMBER:  
(703) 816-4006

**FACSIMILE COVER SHEET**  
**PLEASE DELIVER IMMEDIATELY!!!**

Our Ref.: 3687-116

Your Ref.: SN 10/537,049

Date: November 29, 2005

To:

Ms. India Evans

Firm:

U.S. PTO

Facsimile No.:

703 746 6706

From:

Arthur R. Crawford

Number of Pages (including cover sheet): 07

(IF YOU DO NOT RECEIVE ALL OF THE PAGES OR ENCOUNTER DIFFICULTIES IN TRANSMISSION,  
PLEASE CONTACT US IMMEDIATELY AT (703-816-4000).

Esther

FACSIMILE OPERATOR

## ATTACHMENT/S:

**MESSAGE:** Attached is a Transmittal Letter to the U.S. Designated/Elected  
Office, executed declaration of Gatti et al and copy of the Notification of Missing  
Requirements in Serial NO 10/537,049.

**CONFIDENTIALITY NOTE**

The documents accompanying this facsimile transmission contain information belonging to Nixon & Vanderhye, which is confidential and/or legally privileged. This information is only intended for the use of the individual or entity named above. IF YOU ARE NOT THE NAMED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISCLOSURE, COPYING, DISTRIBUTION OR TAKING OF THIS INFORMATION FOR ANY USE WHATSOEVER IS STRICTLY PROHIBITED. If you have received this facsimile in error, please immediately contact us by telephone to arrange for return of the original documents to us.

1017956



## Nixon & Vanderhye PC.

ATTORNEYS AT LAW

11TH FLOOR  
901 NORTH GLEBE ROAD  
ARLINGTON, VIRGINIA 22203-1808

# COPY

TELEPHONE: (703) 816-4000  
FACSIMILE: (703) 816-4100  
WRITER'S DIRECT DIAL NUMBER:  
**(703) 816-4006**

### **FACSIMILE COVER SHEET** **PLEASE DELIVER IMMEDIATELY!!!!**

Our Ref.: 3687-116  
Your Ref.: SN 10/537,049 Date: November 29, 2005  
To: Ms. India Evans  
Firm: U.S. PTO  
Facsimile No.: 703 746 6706  
From: Arthur R. Crawford

Number of Pages (including cover sheet): 57  
(IF YOU DO NOT RECEIVE ALL OF THE PAGES OR ENCOUNTER DIFFICULTIES IN TRANSMISSION,  
PLEASE CONTACT US IMMEDIATELY AT (703-816-4000).

Esther  
FACSIMILE OPERATOR

#### ATTACHMENT/S:

**MESSAGE:** Attached is a Transmittal Letter to the U.S. Designated/Elected Office, executed declaration of Gatti et al and copy of the Notification of Missing Requirements in Serial NO 10/537,049.

#### **CONFIDENTIALITY NOTE**

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1017956

FORM PTO-1390 MODIFIED	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER <b>3687-116</b>
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)  <b>10/537,049</b>
INTERNATIONAL APPLICATION NO. <b>PCT/IB03/005530</b>	INTERNATIONAL FILING DATE <b>28 November 2003</b>	PRIORITY DATE CLAIMED <b>4 December 2002</b>
TITLE OF INVENTION <div style="text-align: center;"><b>METHOD AND DEVICE FOR TRANSFERRING THERMOFORMED ARTICLES</b></div>		
APPLICANT(S) FOR DO/EO/US <div style="text-align: center;"><b>GATTI et al.</b></div>		
<p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input type="checkbox"/> The U.S. has been elected (Article 31).</li> <li>5. A copy of the International Application as filed (35 U.S.C. 371(c)(2).             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (        pages specification, claims &amp; abstract (        claims),        sheets drawings).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(3)             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (        pages specification, claims &amp; abstract (        claims),        sheets drawings,        page Certificate of Translation).</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has <b>NOT</b> expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3).</li> <li>9. a. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4).             <ol style="list-style-type: none"> <li>b. <input type="checkbox"/> Declaration was submitted to the International Bureau during International Phase (see copies of Declaration (        page Form PCT/RO/101 and Form PCT/IB/371 and first page of printed publication acknowledging receipt thereof attached).</li> </ol> </li> <li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5).             <p style="margin-left: 20px;"><b>Items 11 To 20 below concern document(s) or information included:</b></p> <ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.</li> <li>13. a. <input type="checkbox"/> A FIRST preliminary amendment.</li> <li>      b. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</li> <li>14. <input type="checkbox"/> An Application Data Sheet under 37 C.F.R. § 1.76.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items or information. Copy of Notification of Missing Requirements</li> </ol> </li> </ol>		

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) <b>10/537,049</b>		INTERNATIONAL APPLICATION NO. <b>PCT/IB03/005530</b>		ATTORNEY'S DOCKET NUMBER <b>3687-116</b>	
<input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5)):</b>					
21.	<input type="checkbox"/> Basic national fee .....	\$300.00 (1631)/\$150.00 (2631)		COPY	
22.	<input type="checkbox"/> Examination Fee.....	\$0 (1643/2643)			
		\$200.00 (1633)/\$100.00 (2633)			
23.	<input type="checkbox"/> Search Fee .....	\$0 (1640/2640)			
		\$100 (1641)/\$50 (2641)			
		\$400 (1642)/\$200 (2642)			
		\$500.00 (1632)/\$250.00 (2632)			
<b>TOTAL OF ABOVE CALCULATIONS</b>				\$	0.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets		Extra Sheets		Number of each additional 50 or fraction thereof (round up to a whole number)	
0 -100		0 /50 =		0.00	
				RATE	
				\$0.00 (1681)	
				\$0.00 (2681)	
Surcharge of \$130.00 (1617)/\$65.00 (2617) for furnishing the oath or declaration later than <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e)).					
CLAIMS		NUMBER FILED		RATE	
Total Claims		minus 20 =		0 X \$50.00 (1615)/ \$25.00 (2615)	
Independent Claims		minus 3 =		0 X \$200.00 (1614) \$100.00 (2614)	
MULTIPLE DEPENDENT CLAIMS(S) (if applicable)				\$360.00 (1616)/\$180.00 (2616)	
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s): One Month Extension \$120.00 (1251)/\$60.00 (2251); Two Month Extensions \$450.00 (1252)/\$225.00 (2252); Three Month Extensions \$1020.00 (1253)/\$510.00 (2253); Four Month Extensions \$1590.00 (1254)/\$795.00 (2254)				\$ 0.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.					
Processing fee of \$130.00 (1618), for furnishing the English Translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(f)).				+ 0.00	
<b>TOTAL NATIONAL FEE =</b>				\$ 0.00	
Fee for recording the enclosed assignment (37 C.F.R. 1.21(h). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 (8021) per property				+ 0.00	
Fee for Petition to Revive Unintentionally Abandoned Application; \$1500.00 (1453) / \$750.00 (2453)				0.00	
<b>TOTAL FEES ENCLOSED =</b>				\$ 0.00	
				Amount to be refunded: \$	
				Amount to be Charged: \$	
U.S. Application No.10/537,049; Atty Docket No.3687-116					

- a. ☐ A check in the amount of \$0.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. 14-1140 in the amount of \$\_\_\_\_\_ to cover the above fees.



A duplicate copy of this form is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1140. A duplicate copy of this form is enclosed.

d. ☐ **CREDIT CARD PAYMENT FORM ATTACHED.**

☒ The entire content of International Application No. **PCT/IB03/005530** and any U.S. and foreign application(s) corresponding hereto, and , referred to in this application is/are hereby incorporated by reference in this application.

**NOTE:** Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b) must be filed and granted to restore the application to pending status.

**CORRESPONDENCE ADDRESS**

Direct all correspondence to:

☒ **Customer Number:**

**23117**

*Type Customer Number here*

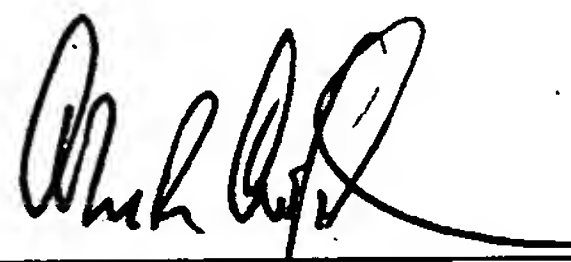
**COPY**

**CERTIFICATION OF FACSIMILE  
TRANSMISSION**

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on November 29, 2005.

Telephone: (703) 816-4000

ARC:eaw



**Arthur R. Crawford**

NAME

**25,327**

REGISTRATION NUMBER

**November 29, 2005**

Date



ARC  
UNITED STATES PATENT AND TRADEMARK OFFICE

**COPY**  
UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/537,049	Giorgio Gatti	3687-116

INTERNATIONAL APPLICATION NO.
-------------------------------

PCT/IB03/05530

I.A. FILING DATE	PRIORITY DATE
11/28/2003	12/04/2002

23117  
NIXON & VANDERHYE, PC  
901 NORTH GLEBE ROAD, 11TH FLOOR  
ARLINGTON, VA 22203

CONFIRMATION NO. 3343

371 FORMALITIES LETTER



\*OC000000017343535\*

Date Mailed: 10/28/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 06/02/2005
- Copy of the International Search Report filed on 06/02/2005
- Preliminary Amendments filed on 06/02/2005
- Information Disclosure Statements filed on 06/02/2005
- Oath or Declaration filed on 06/28/2005
- Request for Immediate Examination filed on 06/02/2005
- U.S. Basic National Fees filed on 06/02/2005
- Priority Documents filed on 06/02/2005

DOCKETED  
3687-116  
CLT/MATTER # 10/28/2005  
MAIL DATE Dec 28/2005  
DUE DATE May 28, 2006  
FINAL DEADLINE  
DOCKETED BY [Signature]

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - does not identify the application to which it is directed.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed



to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice **MUST** be returned with the response.

**COPY**

INDIA L EVANS

Telephone: (703) 308-9140 EXT 212

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/537,049	PCT/IB03/05530	3687-116

FORM PCT/DO/EO/905 (371 Formalities Notice)

**RULE 63 (37 C.F.R. 1.63)**  
**INVENTORS DECLARATION FOR PATENT APPLICATION**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

As a below named inventor, I hereby declare that my residence, mailing address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHOD AND DEVICE FOR TRANSFERRING THERMOFORMED ARTICLES**

(the specification of which (check applicable box(es)):

☐ is attached hereto  
☐ was filed on 2 June 2005 as U.S. Application Serial No. 10/537,049 (Atty. Dkt. No. 3687-116)  
☒ was filed as PCT International application No. PCT/IB03/005530 on 28 November 2003  
and (if applicable to U.S. or PCT application) was amended on

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability as defined in 37 C.F.R. 1.56. I hereby claim foreign priority benefits under 35 U.S.C. 119/385 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed or, if no priority is claimed, before the filing date of this application:

Priority Foreign Application(s):

Application Number	Country	Day/Month/Year Filed
MI2002A 002586	ITALY	4 December 2002

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

Application Number	Date/Month/Year Filed
--------------------	-----------------------


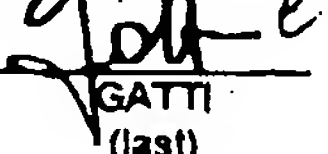
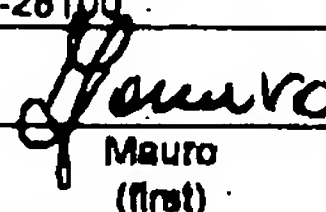
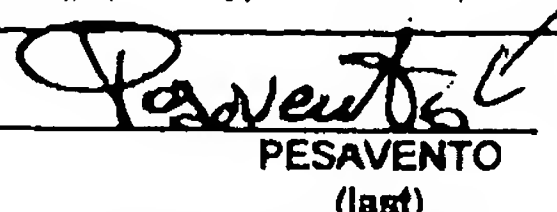
I hereby claim the benefit under 35 U.S.C. 120/385 of all prior United States and PCT International applications listed above or below:

Prior U.S./PCT Application(s):

Application Serial No.	Day/Month/Year Filed	Status: patented pending, abandoned
PCT/IB03/005530	28 November 2003	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. And on behalf of the owner(s) hereof, I hereby appoint Nixon & Vanderhye P.C., telephone number 703-816-

4000 (to whom all communications are to be directed) and the attorneys of: **Customer Number 23117**, individually and collectively owner's/owners' attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent. I also authorize Nixon & Vanderhye to add or delete attorneys from that Customer Number, and to act and rely solely on instructions directly communicated from the person, assignee, attorney, firm, or other organization sending instructions to Nixon & Vanderhye on behalf of the owner(s).

1.	Inventor's Signature: 		Date: November 17, 2005
	Inventor: Giorgio (first)	GATTI (last)	Italian (citizenship)
	Residence (city): Novara	MI (state/country)	Italy
	Mailing Address: Via Dante Alighieri, 18, Novara, Italy		
	(Zip Code): I-28100		
2.	Inventor's Signature: 		Date: November 17, 2005
	Inventor: Mauro (first)	PESAVENTO (last)	Italian (citizenship)
	Residence (city): Novara	MI (state/country)	Italy
	Mailing Address: Via Crespi, 50, Novara, Italy		
	(Zip Code): I-28100		